BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

DWAYNE SIMON Claimant)
VS.	/)) Docket No. 190,699
MULL FARMS AND FEEDING, INC. Respondent)))
AND	Ś
TRAVELERS INSURANCE COMPANY Insurance Carrier	/

ORDER

On July 11, the application of the claimant for review by the Workers Compensation Appeals Board of an Award entered by Administrative Law Judge George R. Robertson on February 23, 1995, came regularly on for oral argument by telephone conference.

APPEARANCES

Claimant appeared by and through his attorney Robert A. Anderson of Ellinwood, Kansas. The respondent and insurance carrier appeared by and through their attorney Jerry Ward of Great Bend, Kansas. There were no other appearances.

RECORD

The record as specifically set forth in the Award of the Administrative Law Judge is herein adopted by the Appeals Board.

STIPULATIONS

The stipulations as specifically set forth in the Award of the Administrative Law Judge are herein adopted by the Appeals Board.

Issues

- (1) What is the nature and extent of claimant's injury and disability with regards to his thumb. Is he entitled to benefits for an amputation and also a healing period as a result of the thumb injury?
- (2) Is claimant entitled future medical benefits?

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having reviewed the entire evidentiary record filed herein, and in addition the stipulations of the parties, the Appeals Board makes the following findings of fact and conclusions of law:

The Workers Compensation Appeals Board in reviewing the Award of Administrative Law Judge George R. Robertson finds that the findings of fact and conclusions of law set out by the Administrative Law Judge are appropriate and fully set forth the Appeals Board's opinion as to the decision in this matter. As such, the Appeals Board fully adopts the Award of the Administrative Law Judge as its own and incorporates same in this award by reference.

The claimant, in alleging a right to collect for loss of use as well as amputation of his thumb, appears to have been fully compensated for the loss suffered to his thumb from the award for loss of use in accordance with the provisions of the Workers Compensation Act.

<u>AWARD</u>

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award of Administrative law Judge George R. Robertson, dated February 23, 1995, denying claimant additional compensation, is affirmed in all respects.

Fees necessary to defray the expense of the administration of the Workers Compensation Act are hereby assessed against the respondent as follows:

\$113.42
\$126.00
\$205.50
\$331.50

IT IS SO ORDERED.

Dated this day of August, 1995.

BOARD MEMBER

BOARD MEMBER

c: Robert A. Anderson, Ellinwood, Kansas Jerry Ward, Great Bend, Kansas George R. Robertson, Administrative Law Judge David A. Shufelt, Acting Director